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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Smith et al.  
Appl. No. 10/765,223  
Filed: January 26, 2004  
For: REFERENCE WAFER AND  
PROCESS FOR  
MANUFACTURING SAME  
Art Unit: 1756  
Examiner: Young, Christopher G.

hereby certify that this correspondence and the  
attached papers are being deposited with the United  
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Commissioner for Patents  
U.S. Patent and Trademark Office  
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Alexandria, VA 22313-1450

1/6/06  
Date

Michelle Melendez  
Signature

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed are the following documents:

- 1) Transmittal Letter;
- 2) Response to Restriction Requirement;
- 3) Return Postcard for this transmittal.



The Commissioner is hereby authorized to charge any fee, including  
any submitted herewith if the attached check(s) is in the wrong amount  
or otherwise improper or missing, that may be due in connection with  
this and the attached papers, or with this application during its entire  
pendency to or to credit any overpayment to Deposit Account No. 50-  
1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN LLP

By: David A. Hall  
David A. Hall  
Registration No. 32,233

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1/16/06  
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Michelle Malend  
Signature

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed December 8, 2005 containing a  
restriction requirement, Applicant hereby elects Group II (Claims 30-41), drawn to a  
method of using a reference wafer.

The Examiner required election between Group I (Claims 28 and 29) and  
Group II (Claims 30-41). Applicant reserves the right to file continuing applications  
directed to the non-elected claims.

Respectfully submitted,  
HELLER EHRMAN LLP

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Registration No. 32,233

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